

Filed 2/16/2002

JOHN J. FARMER, JR.
ATTORNEY GENERAL OF NEW JERSEY

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF SOCIAL WORK EXAMINERS

In The Matter Of	:	Administrative Action
	:	
DANIEL CRUZ, C.S.W.	:	
	:	
Certified to Practice	:	FINAL ORDER OF DISCIPLINE
Social Work in the	:	
State of New Jersey	:	

This matter was opened to the New Jersey State Board of Social Work Examiners ("Board") on information received which the Board has reviewed and on which the following findings are made:

FINDINGS OF FACT

1. Daniel Cruz ("respondent") had been a licensee of the Board at all times relevant hereto.

2. On or about April 30, 1999, a Judgment of Conviction, a copy which is annexed hereto and made a part hereof, was entered by the New Jersey Superior Court, Passaic County, Law Division-Criminal. The Judgment of Conviction reveals that respondent was originally charged with 2nd degree Sexual Assault (counts one and three) in violation of N.J.S.A. 2C:14 c(1) and 4th degree Criminal Sexual Contact (counts two and four) in violation of N.J.S.A. 2C-14-3 b. Respondent entered a plea of guilty to the final charges of two counts of 4th degree Criminal Sexual Contact in violation of N.J.S.A. 2C-14-3 (b).

3. The Criminal Sexual Contact was committed against a mentally disabled adult whom was under the care of respondent in respondent's capacity as a social worker at a YMCA.

4. For the conviction of count two of Criminal Sexual Contact, respondent was sentenced to the Passaic County Jail for 364 days and Probation for three years.

5. For the conviction of count four of Criminal Sexual Contact, respondent was sentenced to the Passaic County Jail for 364 days and Probation for three years to be concurrent with count two.

5. Counts one and three were dismissed.

6. Respondent was ordered to maintain full time employment and to attend counseling in a Sex Offenders Program, where he shall not be released from counseling without further Order of the Court. Respondent was further ordered to have no contact with the victim and no contact with any person who is mentally limited.

7. A Provisional Order of Discipline was signed by the Board president on May 26, 1999 and was served by Return Receipt Certified Mail sent to respondent at his place of incarceration at 11 Sheriff's Plaza, Paterson, New Jersey 07505. The Return Receipt was signed on June 1, 1999 and returned to the Division of Law.

8. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be

modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

9. Respondent failed to respond to the Findings of Fact or Conclusions of Law as set forth in the Provisional Order.

CONCLUSIONS OF LAW

Pursuant to N.J.S.A. 45:1-21 (c) and(f) and N.J.A.C. 13:44G-10.7, respondent's conduct as set forth herein constitutes grounds for suspension or revocation of respondent's certification to practice social work in the State of New Jersey in that respondent has been convicted of a crime involving moral turpitude and relating adversely to the profession..

IT IS, THEREFORE, ON THIS 16th DAY OF FEBRUARY 2000

ORDERED THAT:

1. The certification of respondent Daniel Cruz to practice social work in the State of New Jersey shall be and is hereby revoked effective upon the date the within Order became final pursuant to paragraph #3. Respondent shall immediately surrender his certificate to the Board by sending it to Leslie Aronson, Executive Director, State Board of Social Work Examiners, 124 Halsey Street, 6th Floor, Newark, New Jersey 07101.

NEW JERSEY STATE BOARD OF SOCIAL WORK EXAMINERS

By: Mariagne S. E. Lattimer
Mariagnes Lattimer, MSW, LCSW
President

